



4-7-04

Image RCE  
PTO 7765

PATENT

Practitioner's Docket No.: 782\_181

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Initiate the application of: Tomohiko SHIBATA, Keiichiro ASAII, and Mitsuhiro TANAKA

Ser. No.: 09/928,523

Group Art Unit: 1765

Filed: August 13, 2001

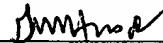
Examiner: Matthew J. Song

Confirmation No.: 8032

For: AN APPARATUS FOR FABRICATING A III-V NITRIDE FILM AND A METHOD  
FOR FABRICATING THE SAME

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United  
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Box 1450, Alexandria, VA 22313-1450 on April 6, 2004 under  
"EXPRESS MAIL" mailing label number EV 44336 7478 US.

  
Gina Husak

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**(37 C.F.R. 1.114)**

1. Applicants hereby request continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

**TIME REQUEST IS BEING MADE**

2. This request is being submitted (*check appropriate item(s) below*):

- i.  Prior to abandonment of the application
- ii.  Payment of the issue fee
  - Prior to payment of issue fee
  - Issue fee has been paid but a petition under § 1.313 was filed (copy attached).
- iii.  Prior to a decision on appeal to the Board of Patent Appeals & Interferences
  - A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv.  Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
  - Commencement of a civil action under 35 U.S.C. 146
    - Prior to the filing of such appeal or commencement of civil action
    - Such appeal or commencement of civil action has been terminated

### REVIOUSLY SUBMITTED DOCUMENTS

3. Please Enter and Consider the following Previously Submitted Documents:

Amendment filed \_\_\_\_\_.  
 Brief on Appeal filed \_\_\_\_\_.  
 Other:

### ENCLOSURES

4. Enclosed herewith is/are:

An Information Disclosure Statement and Form PTO-1449  
 An Identification of Copending Application(s) and Form PTO-1449  
 An Amendment  
 New arguments  
 New evidence in support of patentability  
 Other:

### FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

5. This application is on behalf of:

Small entity (and status is still as small entity) \$385.00  
 Other than a small entity \$770.00  
  
Continued Prosecution Request Fee \$770.00

### FEE FOR CLAIMS

6. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate	(7) Additional Fee
TOTAL CLAIMS	4	MINUS	20	0	0	0
INDEP. CLAIMS	1	MINUS	3	0	0	0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						0

(c)  No additional fee is required.

**OR**

(d)  Total additional fee required is \$.

**EXTENSION OF TIME**

7. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a)  Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension (Months)	Fee for other than small entity	Fee for small entity
One Month	\$ 110.00	\$ 55.00
Two Months	\$ 420.00	\$ 210.00
Three Months	\$ 950.00	\$ 475.00
Four Months	\$1,480.00	\$ 740.00

Extension Fee \$ 00.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

**OR**

(b)  Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE(S) DUE**

8. The total fee(s) due is/are:

Continued Prosecution Fee (§ 1.17(e)) \$770.00

Fee(s) for additional claims (if any) (§ 1.16(b)-(d)) \$

Extension of time fee (if any) (§ 1.17(a)(1)-(4)) \$

**Total Fee(s) Due: \$770.00**

**PAYMENT OF FEE(S) DUE**

9. Please pay the fee(s) for this continued examination application as follows:

Check is attached for the sum of \$

Charge Deposit Account No. 50-1446 the sum of \$ 770.00

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Deposit Account No. 50-1446.

Respectfully submitted,

  
Stephen P. Burn  
Reg. No. 32,970

April 6, 2004

\_\_\_\_\_  
Date

SPB:SWC:jms

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**AMENDMENT\***

Sir:

In response to the Final Office Action mailed January 6, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.

\* An RCE is filed herewith.